

Docket Item #6
BZA CASE #2006-0030

Board of Zoning Appeals
July 13, 2006

ADDRESS: 505A East Windsor Avenue
ZONE: R-2-5/Residential
APPLICANT: Julienne Picot Chappell

ISSUE: Requesting a special exception to build a two-story rear within the required east side yard.

CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED EXCEPTION
3-406(A)(2)	Side Yard (East)	10.00 ft	8.00 ft	2.00 ft

BOARD OF ZONING APPEALS ACTION OF JULY 13, 2006: On a motion to approve by Mr. Lantzy, seconded by Ms. Lewis, the special exception was approved by a vote of 6 to 0.

Reasons: The application met the requirements for a special exception as outlined in the staff report.

Speakers:

Julienne Chappell, owner, made the presentation.

The staff **recommends approval** of the requested special exception because the request meets the criteria for a special exception.

If the Board decides to grant a special exception, it should contain the conditions under the department comments. Special exceptions must also be recorded with the deed of the property in the City's Land Records Office prior to the release of a building permit.

(insert sketch here)

I. Issue

The applicant proposes to construct a two-story rear addition in line with her existing two-story semi-detached dwelling at 505A East Windsor Avenue. The new addition will be located in the required east side yard.

II. Background

The subject property, one lot of record, has 25.00 feet of frontage on East Windsor Avenue, a depth of 115.00 feet and totals 2,875 square feet. The subject lot is complying as to the minimum lot area for a R-2-5 zone interior semi-detached lot where the minimum lot size is 2,500 square feet.



A two-story semi-detached dwelling with an open rear deck is located 25.80 feet from the front property line facing East Windsor Avenue, 8.00 feet from the east side property line, shares a common party wall with the adjoining property at 505 East Windsor Avenue and approximately 47.00 feet from the south rear property line. A detached frame shed directly behind the existing deck will be removed to accommodate the new addition. Real estate assessment records indicate the house was constructed in 1959.

As indicated on the submitted plat, the existing house is built within the required east side yard. The existing house complies with the required front, rear and west side yards.

III. Description

The applicant proposes to demolish an existing open rear deck and in its place construct a two-story addition in line with the walls of the existing two-story house. The two-story addition with a basement measures 12.00 feet by 17.00 feet and totals approximately 612 square feet. The two-story addition with a hip roof measures 21.00 feet from grade to the eave of the roof facing the east side property line; 24.00 feet in overall



height. Directly behind the new addition an open deck 2.00 feet above the ground will be built. The new addition will be located within 8.00 feet from the east side property line, align with the west side property line and 41.00 feet from the south rear property line. Because the applicant is altering one noncomplying wall located within the required east side yard the project is eligible for a special exception.

There have been no prior variances nor special exceptions applied for or approved for the subject property.

IV. Master Plan/Zoning: The subject property is zoned R-2-5 residential and has been so zoned since adoption of the Third Revised Zoning Map in 1951 and identified in the Potomac West Small Area Plan for residential land use.

V. Requested Special Exception:

Section 3-406(A)(2) Side Yard (East)

The applicants request a special exception from the required minimum 10.00 foot side yard requirement. The existing east building wall is located 8.00 feet from the east side property line. The height of the proposed two-story addition measures 21.00 feet from grade to the eave line of the roof facing the east side property line. An 10.00 feet side yard is required. The applicant requests a special exception of 2.00 feet from the proposed building wall.

VI. Noncomplying Structure

The existing building at 505A East Windsor Avenue is a noncomplying structure with respect to the following:

<u>Yard</u>	<u>Required</u>	<u>Existing</u>	<u>Noncompliance</u>
Side (East)	10.00 feet	8.00 feet	2.00 feet

VII. Staff analysis under criteria of section 11-1302

This case asks the Board of Zoning Appeals to rule on whether a proposed two-story addition located within the required east side yard meets the standards adopted for a special exception for additions.

Special Exception Standards

To grant a special exception, the Board of Zoning Appeals must find that the strict application of the zoning ordinance creates an unreasonable burden on the use and enjoyment of the property. Section 11-1304 of the zoning ordinance lists standards that an applicant must address and that the Board believes exists and thus warrants granting a special exception of the zoning regulations.

1. Whether approval of the special exception will be detrimental to the public welfare, to the neighborhood or to the adjacent properties.

2. Whether approval of the special exception will impair an adequate supply of light and air to the adjacent property, or cause or substantially increase traffic congestion or increase the danger of fire or the spread of fire, or endanger the public safety.
3. Whether approval of the special exception will alter the essential character of the area or the zone.
4. Whether the proposal will be compatible with the development in the surrounding neighborhood.
5. Whether the proposed development represents the only reasonable means and location on the lot to accommodate the proposed structure given the natural constraints of the lot or the existing development of the lot.

VIII. Staff Conclusion

The proposed two-story addition is in character with the existing house. The 500 block of East Windsor is characterized by a variety of single-family, row dwellings and semi-detached dwelling. Many of the homes have similar two-story rear additions. Staff believes that the applicant's property meets the test for a special exception. The new construction will not project beyond the plane of the existing house facing the east property line. The addition is half the depth of the existing house.

The proposed design complements the existing semi-detached dwelling. The proximity of the building improvements to the shared east side property line will afford the adjoining property continued light and air. The proposed design when viewed from the east side property line and street is compatible with the development in the neighborhood and will not alter the essential character of the area or conditions on the lot. No large trees will be removed to accommodate the new addition.

Staff **recommends approval** of the request for special exception.

STAFF: Hal Phipps, Division Chief, Planning and Zoning
Peter Leiberg, Zoning Manager, Planning and Zoning

DEPARTMENTAL COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

* The applicant is advised that if the variance is approved the following additional comments apply.

Transportation and Environmental Services:

- R-1 City Code Section 8-1-22 requires that roof, surface and sub-surface drains be connected to the public storm sewer system. The building permit plans shall include information on the location of down spouts and/or sump pump discharge along with connections to a public storm sewer if within 100 feet of the property. If a connection is not available, other approved methods to the satisfaction of the Director of Transportation and Environmental Services may be used (refer to attached June 18, 2004, letter from the Director of Transportation and Environmental Services regarding downspouts, foundation drains and sump pumps). (T&ES)
- R-2 Applicant shall be responsible for repairs to the adjacent city right-of-way if damaged during construction activity. (T&ES)
- C-1 Any work within the right-of-way requires a separate permit from T&ES. (Sec. 5-3-61)
- C-2 Roof drains and sub-surface drains shall be connected to the city storm sewer system, if available, by continuous underground pipe. (Sec. 8-1-22)
- C-3 Change in point of attachment or removal of existing overhead utility services will require undergrounding or a variance. (Sec. 5-3-3)

Code Enforcement:

- F-1 The proposed project contains windows located along an interior lot line. Windows and openings are not permitted less than 3 feet from an interior lot line and shall comply with C-1 below:
- C-1 All exterior walls within 5 feet from an interior property line shall have a fire resistance rating of 1 hour, from both sides of the wall. As alternative, a 2 hour fire wall may be provided. This condition is also applicable to skylights within setback distance. Openings in exterior walls between 3 and 5 feet shall not exceed 25% of the area of the entire wall surface (This shall include bay windows). Openings shall not be permitted in exterior walls within 3 feet of an interior lot line.

- C-2 Prior to the issuance of a demolition permit or land disturbance permit, a rodent abatement plan shall be submitted to Code Enforcement that will outline the steps that will taken to prevent the spread of rodents from the construction site to the surrounding community and sewers.
- C-3 Roof drainage systems must be installed so as neither to impact upon, nor cause erosion/damage to adjacent property.
- C-4 A soils report must be submitted with the building permit application.
- C-5 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-6 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-7 Construction permits are required for this project. Plans shall accompany the permit application that fully detail the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems.
- C-8 Permission from adjacent property owners is required if access to the adjacent properties is required to complete the proposed construction. Otherwise, a plan shall be submitted to demonstrate the construction techniques utilized to keep construction solely on the referenced property.
- C-9 A wall location plat prepared by a land surveyor is required to be submitted to this office prior to requesting any framing inspection.

Recreation (Arborist):

- F-1 No trees are affected by this application.

Historic Alexandria (Archaeology):

- F-1 There is low potential for this project to disturb significant archaeological resources. No archaeological action is required.

Other Requirements Brought to the Applicant's Attention:

- C-1 A wall check survey plat shall be submitted to Planning and Zoning when the building footprint is in place, pursuant to Alexandria City Code section 8-1-12.

